

Application No. 10/050,233  
Amendment dated July 20, 2005  
Reply to Office Action of April 21, 2005

Docket No. CM03358J

### **REMARKS/ARGUMENTS**

Claims 3, 4, 5, 8, 9, 11, 15, 34, 40, 42, 49, 71, 73, and 75 were amended without prejudice or disclaimer. Claims 1, 2, 6, 7, 12, 16, 20-27, 28-33, 35, 41, 50, 51, 61-70, 72, 74 are canceled. Claims 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 34, 36-39, 40, 42-48, 49, 52-60, 71, 73, 75-78, and 79-80 remain in the application.

#### **Allowed Claims:**

Claims 52-60, 79, 80 are allowed.

Applicants thank the Examiner for the allowance of claims 52-60, 79 and 80.

#### **Allowable subject Matter:**

*The Examiner indicated that claims 3-5, 9-10, 35, 41, 42, 43, 44, 51, 72, 74-78 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.*

Applicants thank the Examiner for the indication of allowable subject matter. The claims have been amended accordingly, without prejudice or disclaimer, in order to facilitate the prosecution of the application.

Claims 3-5 have each been rewritten in independent form incorporating the elements of claims 1 and 2, now canceled. Claims 3, 4, and 5, as amended, are now in condition for allowance.

Claim 8 has been rewritten in independent form to include the elements of claims 1 and 9 (taking into account the antecedent basis objection to claim 9). Claim 8, as amended, is now in condition for allowance.

Claim 9 has been amended to include the elements of claims 1, 6 and 7. Claim 9 is now in condition for allowance. Claim 10 depends on an allowable claim 9 and is thus also in condition for allowance.

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Claim 34 has been amended to include the elements of claim 35, now canceled. Claim 34, as amended, is now in condition for allowance. Claims 36-39 depend (directly or indirectly) on allowable claim 34 and hence are also in condition for allowance.

Claim 40 has been amended to incorporate the elements of claim 41 and as such is in condition for allowance. Claim 42 was amended to depend on claim 40. Claims 43-48 depend (directly or indirectly) on an allowable claim 40 and as such are also in condition for allowance.

Claims 50 and 51 were canceled and incorporated into claim 49 and thus claim 49 is in condition for allowance.

Claim 73 was amended to incorporate the elements of claim 74, now canceled, and is thus in condition for allowance. Claim 75 was amended to depend on claim 73. Claims 75-78 depend (directly or indirectly) on allowable claims and as such are also in condition for allowance.

*The Examiner indicated that claims 11-19 would be allowable if rewritten to overcome the rejection(s) under 35usc112, 2<sup>nd</sup> paragraph and to include all of the limitations of the base claim and any intervening claims.*

Independent claims 11 and 15 have been amended to address the inconsistencies noted by the Examiner and to combine dependent claim 12 into claim 11, as well as to combine dependent claim 16 into claim 15. Claims 11, 13, 14, 15, 17, 18, 19 are thus in condition for allowance.

**Claim Objections:**

Claim 7 was objected to for insufficient antecedent basis for the limitation "the second selection tap circuit". Applicants respectfully point out that the limitation "a second selection tap circuit" appeared in original independent claim 1 (now canceled). Additionally, claim 7 has been canceled and its elements incorporated into amended claim 9 (along with the elements of claims 1 and 6) and as such Applicants request that the objection be withdrawn.

Claim 8 was objected to for insufficient antecedent basis for the limitation "the first tap selection processor". Applicants respectfully point out that this limitation was not recited in

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original claim 8 and therefore request that the objection be withdrawn. Upon further review, Applicants presume that the Examiner meant to object to original claim 9 (not claim 8) for this antecedent basis issue. Claim 9 has since been amended under the indication of allowable subject matter and the antecedent basis issue has been addressed. Claim 8 has also been rewritten in independent form under the indication of allowable subject matter. Applicants request that the objection be withdrawn.

Claim 9 was objected to for insufficient antecedent basis for the limitation "the second tap selection processor". Applicants respectfully point out that this limitation was not recited in original claim 9 and therefore request that the objection be withdrawn. Upon further review, Applicants presume the Examiner meant to object to claim 10 (not original claim 9) for this particular antecedent basis issue. Claim 10 depends on an allowable claim 9 with all antecedent basis issues addressed. Applicants request that the objection be withdrawn.

**Rejection - 35 U.S.C. § 112, first paragraph:**

***Claims 11-19 are rejected under 35 U.S.C. § 112.***

Claims 11 and 15 have been amended to address the inconsistencies noted by the Examiner. No new matter has been added. Support for this amendment is found on page 5, line 12, page 16, lines 4-15 and page 17, lines 1-11. The rejection under 35 U.S.C. § 112 is believed to be overcome.

Accordingly, claims 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 34, 36-39, 40, 42-48, 49, 52-60, 71, 73, 75-78, and 79-80 are believed to be in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

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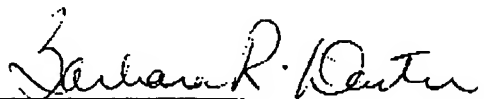
In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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